



2377 05/26/05

\$2,000.00 ✓

OFFICE OF
INSURANCE COMMISSIONER*In The Matter Of:*PROGRESSIVE ANIMAL WELFARE
SOCIETY, INC

No. D05-295

CONSENT ORDER
LEVYING A FINE

Comes Now the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.01.020 and RCW 48.02.080 and RCW 48.38.050, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

FINDINGS OF FACT:

1. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. is a charitable organization registered under Chapter 48.38 RCW holding Certificate of Exemption #68 to issue charitable gift annuities in the State of Washington.
2. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. is required, under RCW 48.38.010(10), to submit its Annual Report, Actuarial Certification, and annual filing fee on or before March 1 for the preceding report year.
3. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. submitted its 2004 Annual Report, Actuarial Certification and filing fee on or about March 24, 2005; all three items being due on or before March 1, 2005.

Based upon the foregoing Findings of Fact, the Commissioner makes the following:

CONCLUSIONS OF LAW

1. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. by and through the conduct described above has violated RCW 48.38.010(10).
2. RCW 48.38.050 authorizes the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of a organization's certificate.
3. The organization committed the following violation(s) of Washington law:
 - a. The organization failed to meet the filing deadline as required by statute.

CONSENT TO ORDER

PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. The Commissioner has offered a settlement in lieu of suspending or revoking the Certificate of Exemption.

By agreement of the parties, the OIC will impose a fine of \$2,000.00 on condition that:

1. Within thirty days, PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. pays to the OIC the full amount of the fine.
2. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. commits no further violations of the statutes and regulations that are the subject of this Consent Order.
3. PROGRESSIVE ANIMAL WELFARE SOCIETY, INC. voluntarily consents to this order to resolve the issues and conduct described herein and with the understanding that the payment of the amount due is a condition to avoiding suspension or revocation of the Certificate of Exemption.

James T. Odiorne

Deputy Insurance Commissioner